



Do you want to be breaking rocks?

Jail time looms for someone in New Zealand for serious breaches of the Health & Safety at Work Act 2015 that put workers at direct risk of harm.

WorkSafe has drawn a line in the sand and is showing little tolerance for employers ignoring improvement and prohibition notices. Most recently, a Southland farm company director was sentenced to four months community detention for directing a worker to lie to WorkSafe about an accident that saw him sustain significant injuries using a wood splitter. The director also had to pay more than \$40k in reparations to the employee and for loss as well as for a newspaper advertisements about his court conviction.



The Alto Packaging company with 20+ sites around the country had received 10 improvement or prohibition notices over three years prior to a worker losing two finger tips in a machine that was not properly guarded. Alto paid \$272,500 in fines and reparations.

Deliberately putting workers at risk of harm or ignoring controls such as guards that can protect workers are totally unacceptable, not only to WorkSafe and the law, but to all New Zealanders. If you witness such behaviour please report it to WorkSafe, or me

if you prefer, as we need to stamp out such behaviour and protect everyone in the workplace. The same applies to anyone exposed to hazardous substances that could result in a danger to their health. We need to work together to combat employers and others who don't ensure workers are protected from harm or illness as a result of their work.

Train hard and stay safe,



Wayne Scott
CEO
MinEx & AQA

Mining and Quarrying Regulation Review

This reminds me of driving with my children (and now grandchildren). Every so often someone asks: Are we there yet?

The review of quarrying regulations, first proposed after the rushed mining-centric regs following the Pike River disaster, finally saw a discussion document released in June of last year. Workplace Relations and Safety Minister Iain Lees-Galloway wanted to see new regs by Christmas 2018. He may be lucky to see them by this Christmas. A revised document which included submissions from both MinEx and WorkSafe, went to MBIE some months ago. MBIE in turn, drafted a proposal and the Minister has now sought some clarification around the proposed changes.

There may be some additional consultation, but it is more likely to go straight through to drafting once approved by the Minister. MinEx and EIAG have requested to look at the final draft. The timeline is for regulations to be passed by the end of the year however this is not set in stone and is certainly out of our control. In the interim, just don't ask me if we are there yet.



Wayne Scott (left) with WorkSafe Minister Iain Lees-Galloway (right) at a Malborough quarry site last year

Meantime, CoC and CPD Requirements

After considering feedback and submissions, the BoE has recommended an entirely new framework around CPD to WorkSafe New Zealand, which it has accepted. The new framework will be implemented from February. The changes include:

- Certificate of Competence (CoC) holders can complete their CPD hours over five years with no conditions.
- Formal/informal activities replaced by unrestricted/restricted activities.
- CPD logbook revised to accommodate changes and encourage emphasis on the component parts of CPD.

I am particularly pleased to see transitional arrangements as these acknowledge initial difficulties with the introduction of CPD. It has been a true consultation and the BoE have followed through and delivered a set of changes that reflect the day to day realities of our sector and are introducing a workable, sensible CPD regime from next year.

Testing interest in reducing toxics

Michael Quinlan from the University of NSW recently shared a presentation with MinEx on the Toxic Use Reduction Institute (TURI), based at the University of Massachusetts in the US.

TURI has established a collaborative group representing regulators, industry, unions and technical experts aimed at coming up with safer alternatives to toxic substances currently used in various industries and even home use.

There is significant evidence that exposures can be substantially reduced through programmes that engage industry and other stakeholders, while retaining strong regulations, incentives and wide industry information on toxic substances and their impact.



I've tested with the MinEx Board whether a similar initiative for our industry makes sense. My initial discussions are to be with the HHU and Occupational Hygiene unit of WorkSafe checking interest and how this initiative might support other work they are doing on hazard substances, including WES. If there is a desire, I will scope up a group involving stakeholders to meet and determine terms of reference etc. If toxic substances are a big issue for you, get in touch – wayne@minex.org.nz

A step forwards for Fulton Hogan

While disappointing for WorkSafe and those of us who have benefitted from her knowledge and support, Maria Baker has resigned from her position as HHU Inspector with WorkSafe to return to Fulton Hogan.

That's a good move for FH and for Maria who has proven to be a very competent inspector as well as a darn good presence at some of MinEx's workshops over the last year or two.

Maria grew up in quarries and as a qualified and experienced A Grade quarry manager was working for FH

She now returns to the industry that has seen her father Ross and civil engineer brother Paul both working in extractives.

We wish her well in her new role where she will be able to bring the sharpest insights into WorkSafe's requirements and approach.

prior to her two years with WorkSafe.



Maria Baker - returning to Fulton Hogan

Time for roving now over

With details of the Review of Vocational Education (ROVE) now announced, MinEx is looking for ways to best advance the interests of the extractive sector in the new regime.

The Institute of Skills and Technology will oversee all vocational education. Between 4 – 7 Workforce Development Councils (WDCs) will replace the 11 ITOs by Dec 2022. WDCs will have accountability for setting industry training standards, currently carried out by MITO. This includes qualification development, unit standard development and moderation. It does not include workplace-based training and support: this will transfer to the training provider network (private training providers and polytechnics) as part of the transition to the new vocational education system.

MinEx has started discussions with MITO and other industry associations. We will keep you informed as the transition details become clearer. Our goal is to protect our learners and continue to enrol new learners through this transition. I am confident there will be little impact on existing and new learners going forward.

Keri delivers gold

MinEx has engaged Keri Harrison to develop an Alluvial Gold Code of Practice. This will include content from the current Mines and Quarry Good Practice Guidelines but will offer some practical guidance for managing health and safety in an alluvial gold mine.



*Keri Harrison to develop an
Alluvial Gold Code of Practice*

Keri has been travelling to the West Coast over recent weeks to work with alluvial gold operators and bring together the alluvial gold COP. Our thanks to Andy Birchfield, Ruby Johnson, Peter Haddock, Brett Cummings and Henry Adams in particular for their support.

Two full days for specialists - no time for swingers

Recognising that we have speciality groups who need to stay up to speed on H+S, we are running our second two-day mining technical seminar in Christchurch next month.



The first day – Wednesday 20th November - is mostly on electrical, led by Lionel Smith, Queensland's Acting Deputy Chief Inspector of Mines.

The following day - Thursday 21st November - covers mechanical and general mine health and safety issues including leadership, worker health and new technology. Mine Manager expectations will be addressed by Matt Hine of OceanaGold, Alex Wood of Progressive Risk Management will talk about dealing with asbestosis, and there are sessions on leadership, technical issues and safety culture.

There's a networking session at 4pm on the first day for all attendees and the two days offers 16 hours CPD. There'll be no time to practice your swing, but the Russley Golf Club is again the venue.

Both workshops run from 8am to 4pm and the cost of each workshop is just \$110+GST.

[Register Here](#)

With a huge thanks to our 2019 workshop sponsors



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